

★ MAR 13 2019 ★

BROOKLYN OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
-----X
ALLSTATE INSURANCE COMPANY,
et al.,

Plaintiffs,

- against-

ABRAMOV, *et al.*,

Defendants.
-----X

**MEMORANDUM DECISION
AND ORDER**

1:16-cv-1465 (AMD) (SJB)

ANN M. DONNELLY, United States District Judge:

On March 25, 2016, the plaintiffs commenced this civil action alleging violations of the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. § 1961, § 1962(c), and § 1964(c), and New York common law fraud and unjust enrichment. (ECF No. 1.) The plaintiffs filed an amended complaint on May 9, 2016, maintaining the same causes of action and adding additional defendants. (ECF No. 5.) 25 of the 88 named defendants did not appear in the action, and the Clerk of Court entered a default against them. (ECF Nos. 187-193, 195-201, 209-213, 294-296, 307-310.) The 63 remaining defendants settled with the plaintiff. (*See* ECF No. 322 at 4.)

On May 22, 2018, the plaintiffs moved for a default judgment against the 25 defendants who did not appear in the action, pursuant to Federal Rule of Civil Procedure 55(b) and Local Rule 55.2. (ECF No. 322-3.) I referred the motion to Magistrate Judge Sanket Bulsara for a Report and Recommendation (“R&R”). On February 21, 2019, Judge Bulsara issued a thorough and well-reasoned R&R, recommending that I deny the plaintiffs’ motion because the plaintiffs

did not comply with the service requirements of Local Rule 55.2. (ECF No. 333.) No objections have been filed to the R&R, and the time for doing so has passed. (*Id.*)

A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). To accept those portions of the R&R to which no timely objection has been made, “a district court need only satisfy itself that there is no clear error on the face of the record.” *Jarvis v. N. Am. Globex Fund L.P.*, 823 F.Supp.2d 161, 163 (E.D.N.Y. 2011) (internal quotation marks omitted).

I have carefully reviewed Judge Bulsara’s thoughtful and cogent R&R, and find no error. Accordingly, I adopt the R&R in its entirety. The plaintiffs’ motion is denied without prejudice to renewal.

SO ORDERED.

s/Ann M. Donnelly

Ann M. Donnelly
United States District Judge

Dated: Brooklyn, New York
March 13, 2019